IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 6832 of 1987

For Approval and Signature:

HONOURABLE MR.JUSTICE K.A.PUJ

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1	Whether Reporters of Local Papers may be allowed to see the judgment ?
2	To be referred to the Reporter or not ?
3	Whether their Lordships wish to see the fair copy of the judgment ?
4	Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?
5	Whether it is to be circulated to the civil judge ?

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SHRI GAMBHIRSINH NATHUSINH MAHIDE - Petitioner
Versus
THE DISTRICT DEVELOPMENT OFFICER & 2 - Respondents

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Appearance :
NONE for Petitioner.
MS PREETI S PARMAR for Respondent No. 1.
MR LB DABHI, AGP for Respondent No. 2.
RULE SERVED for Respondent No. 3.

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CORAM : HONOURABLE MR.JUSTICE K.A.PUJ

Date : 10/01/2006

ORAL JUDGMENT

1.The petitioner has filed this petition under Articles 226 & 227 of the Constitution of India challenging the order passed by the District Development Officer on 07.02.1987 as well as the order passed by the Additional Development Commissioner, Gujarat State, Gandhinagar on 14.12.1987.

2.Notice was issued by this Court on 24.12.1987 and ad-interim relief was granted in terms of para 9 of the petition whereby the impugned orders were stayed. By subsequent order dated 15.02.1988, ad-interim relief granted earlier was continued till further orders.

3.The petition was admitted and rule was issued

on 22.11.1990. However, ad-interim relief which was in operation till 22.11.1990 was not extended thereafter.

4.The petition was filed by the learned advocate who was later on elevated as a Judge of City Civil Court, Ahmedabad and hence, fresh notice was issued on the petitioner. Till this date, nobody appears on behalf of the petitioner. Looking to the issue involved in the petition, the term of the petitioner as Sarpanch must have been expired long back and the petition might have become infructuous by efflux of time. The Court, therefore, without going into the merits of the matter and without expressing any opinion on the issue involved, dismisses this petition reserving liberty to the petitioner to approach this Court in case of difficulty or if the need so arises in future.

5.Subject to the aforesaid clarification, the

petition is accordingly dismissed. Rule discharged without any order as to costs.

[K.A. PUJ, J.]

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